

#

In the United States Patent and Trademark Office

Applicants: G. Osburg et al

Attorney Docket: A 91883

Patent Application
Serial No: 10/759,003

Filed: January 20, 2004

For: Two-Stroke Engine and Method
for Operating the Same

Transmittal of Declaration for Filing under 37 CFR 1.53(d)

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Attention: **Mail Stop Missing Parts**

Dear Sir:

To avoid abandonment under 37 CFR 1.53(d), the applicants herewith submit the declaration in the above-identified application duly signed. A check in the amount of \$130.00 to cover the surcharge as set forth in 37 CFR 1.16(e) is also enclosed in order to prevent abandonment of the application.

The Commissioner is herewith authorized to charge any deficiency in the fee to deposit account no. 15-0773.

Respectfully submitted,

Walter Ottesen
Reg. No. 25,544

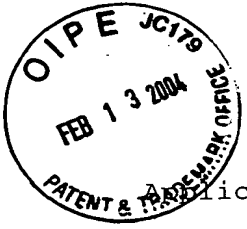
Walter Ottesen
Patent Attorney
P.O. Box 4026
Gaithersburg, Maryland 20885-4026

Phone: (301) 869-8950

Date: February 9, 2004

02/19/2004 WABDELRI 00000060 10759003

01 FC:1051 130.00 OP



In the United States Patent and Trademark Office

Applicants: G. Osburg et al

Attorney Docket: A 91883

Patent Application
Serial No: 10/759,003

Filed: January 20, 2004

For: Two-Stroke Engine and Method
for Operating the Same

Statement by Attorney that Papers Attached to
Declaration are a Copy of those Filed in the Patent
and Trademark Office to Get a Filing Date

Commissioner for Patents and Trademarks
P.O. Box 1450
Alexandria, Virginia 22314-1450

Dear Sir:

I, Walter Ottesen, state that I am the attorney for this application and that I have reviewed and found the specification (pages 1 to 17) and four sheets of drawing (FIGS. 1 to 7) as shown in my files to be the papers attached to the declaration of Gerhard Osburg, Wolfgang Luithardt and Simon Jug for Two-Stroke Engine and Method for Operating the Same which accompanies this statement and I declare that these papers attached to the declaration are a true copy of the specification and any amendment thereto which I filed in the Patent and Trademark Office in order to obtain a filing date for this application on January 20, 2004.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so

made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

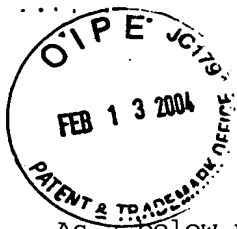
A handwritten signature in black ink, appearing to read "Walter Ottesen". The signature is fluid and cursive, with the first name "Walter" and last name "Ottesen" clearly distinguishable.

Walter Ottesen
Reg. No. 25,544

Walter Ottesen
Patent Attorney
P.O. Box 4026
Gaithersburg, Maryland 20885-4026

Phone: (301) 869-8950

Date: February 9, 2004

Declaration and Power of Attorney for Patent Application

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: Two-Stroke Engine and Method for Operating the Same, the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119, of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

| <u>Prior Foreign Application(s)</u> | | <u>Priority Claimed</u> | | |
|---|--|---|----------------------|---------------------|
| <u>103 01 732.1</u> (Number) | <u>Federal Republic of Germany</u> (Country) | <u>18 Jan 03</u> Date Filed | <u>X</u> Yes | <u> </u> No |
| <u> </u> (Number) | <u> </u> (Country) | <u> </u> Date Filed | <u> </u> Yes | <u> </u> No |

As a named inventor, I hereby appoint the following attorney to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Walter Ottesen
Reg. No. 25,544

Direct all telephone calls to Walter Ottesen at telephone no. (301) 869-8950 and address all correspondence to:

Walter Ottesen
Patent Attorney
P.O. Box 4026
Gaithersburg, Maryland 20885-4026

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor Gerhard Osburg

Inventor's signature Onj Date 30.01.04
Residence 71394 Kernen, Federal Republic of Germany
Country of Citizenship Federal Republic of Germany
Post Office Address Steigstrasse 1/3, 71394 Kernen
Federal Republic of Germany

Full name of second joint inventor, if any Wolfgang Luithardt

Inventor's signature W. Luithardt Date 2.2.04

Residence 71336 Waiblingen, Federal Republic of Germany

Country of Citizenship Federal Republic of Germany

Post Office Address Haldenweg 35, 71336 Waiblingen

Federal Republic of Germany

Full name of third joint inventor, if any Simon Jug

Inventor's signature S. Jug Date 2.2.04

Residence 70734 Fellbach, Federal Republic of Germany

Country of Citizenship Federal Republic of Germany

Post Office Address Membergstrasse 10, 70734 Fellbach

Federal Republic of Germany